

From: Flores, Herbert
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/25/02 1:05pm
Subject: Microsoft Case

Thank You,
Herbert D. Flores
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CC: Flores, Herbert

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Ashcroft,

I understand that the settlement that was recently agreed to between the federal government and the Department of Justice is currently undergoing a sixty-day public comment period. It is my hope that when this period is over, the court will accept the settlement.

The settlement is fair and reasonable and is a far better alternative to breaking-up the company. The settlement was reached after intense negotiation and does not let Microsoft "off the hook," as some of its adversaries are claiming. Not only does the settlement address the all of the complaints in the original lawsuit, but Microsoft has agreed to measures not even at issue in the original case. First and foremost, Microsoft has agreed to share portions of its patented code for the Windows operating system. On a more pedestrian note, it has also agreed not to enter into any agreements obligating any third party to distribute or promote Windows technology exclusively or in a fixed percentage. Furthermore, it has agreed not to retaliate against software developers that develop or promote software that competes with Windows. These measures should appease Microsoft's competitors.

A Microsoft break-up is not necessary. To do so would have seriously compromised the integrity of its operating system that would have disastrous consequences for everyone. This settlement is a far better alternative.

Sincerely,

Herbert Flores
Owner